

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

HENDRICK BLOCK,

Plaintiff,

v.

ANY MERCED INC.,

Defendant.

Case No. 1:21-cv-01251-JLT-EPG

ORDER ADOPTING FINDINGS AND  
RECOMMENDATIONS AND DENYING  
MOTION FOR DEFAULT JUDGMENT

(Doc. Nos. 8, 15)

On August 17, 2021, plaintiff filed this action under the American with Disabilities Act and California's Unruh Act, alleging that he is disabled and encountered barriers at defendant's facility which denied plaintiff the ability to use and enjoy the goods, services, privileges and accommodations offered at the facility. The matter was referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

On January 5, 2022, the assigned magistrate judge issued findings and recommendations, recommending that plaintiff's motion for default judgment be denied for failure to establish service upon defendant. (Doc. 15.) The findings and recommendations were served on plaintiff and contained notice that objections thereto were to be filed within fourteen days. (*Id.*) To date, plaintiff has filed no objections (*see* Doc. 17 (indicating intent to re-serve defendant and requesting an extension of time to do so)), and the time to do so has expired.

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1 In accordance with the provisions of 28 U.S.C. § 636(b)(1)(C), the court has conducted a  
2 *de novo* review of this case. Having carefully reviewed the entire file, the court finds the findings  
3 and recommendations to be supported by the record and by proper analysis.

4 Accordingly,

5 1. The findings and recommendations issued on January 5, 2022 (Doc. 15) are  
6 adopted in full;

7 2. Plaintiff's motion for default judgment (Doc. 8) is denied; and

8 3. This matter is referred back to the assigned magistrate judge for further  
9 proceedings.

10 IT IS SO ORDERED.

11  
12 Dated: January 20, 2022

  
UNITED STATES DISTRICT JUDGE